

US Serial No. 10/576770  
Page 1 of 3

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Attorney File Ref: 102792-572 / 11348P1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Fabrizio GAVELLI et al.  
Serial No.: 10/576770  
Filed: 21.April.2006  
Examiner: Ilya Y. TREYGER  
Art Group: 3709  
Title: **ARTICLE AND METHOD**

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PER TELEFAX 571-273-8300

01 February 2008

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313 - 1450

**AFFIDAVIT OF Nanci MANFREDI UNDER 35 U.S.C. 1.132**

I, Nanci Manfredi, do attest as follows:

1. I have been actively engaged as the docketing clerk at Norris McLaughlin & Marcus PA for a period of seven (7) years. Prior to that, I was the docketing clerk for my prior firm, Sprung, Kramer, Schaefer & Briscoe, which was merged with Norris McLaughlin & Marcus PA for a period of nineteen (19) years.


US Serial No. 10/576770  
Page 2 of 3

2. During the above term, I have been the sole person permitted to make entries and enter changes to our docketing system "CPI" at our firm's New York offices. No attorney or other staff member may enter any changes, including additions or deletions, to the docketing record.
3. It is my primary responsibility also to open all correspondence received from the USPTO, and to docket all communications received from the USPTO in a timely manner during the normal course of my day-to-day duties.
4. At the request of Andrew N. Parfomak, Esq., attorney and partner at our firm, I generated a report today, titled "Due Date List by Date" generated today, which lists all outstanding actions due for any of the patent attorneys in our firm for the time interval inclusive of 01 August 2007 through 05 August 2007. A copy of the results of this search are enclosed. I also printed out a copy of the search parameters which were entered in order to generate the "Due Date List by Date", a printout of which I also enclose which is titled "Report Selection", indicating that the sole search query limitations were those of the foregoing dates.

As the "Due Date List by Date" attests, there is no entry for the any response due for US Ser.No. 10/576770 in that range of date. If the *Office Action* of 04.May.2007 had been timely received by our offices, it would have been passed to my attention and entered and would have resulted in an entry in the "Due Date List by Date" report for that period. As can be seen by inspection, there are no such due dates listed for any actions due for US Ser.No. 10/576770, although other office actions for other pending applications were evidently received by us as evidenced by the several entries visible on "Due Date List by Date".

US Serial No. 10/576770  
Page 3 of 3

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
Nanci Manfredi

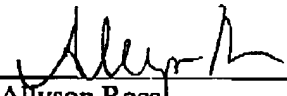
Date: 2/1/08

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**CERTIFICATION OF TELEFAX TRANSMISSION:**

I hereby certify that this paper and any indicated enclosures thereon is being telefax transmitted to the US Patent and Trademark Office to telefax number: 571-273-8300 on the date shown below:

  
Allyson Ross

2/1/2008  
Date

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Due Date Indicator	Action Due Action Type	Case Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Attys
02-Aug-2007	NM CU2 AWAIT FIRST ACTION	02792 557 / United States of America	Published Rockitt Benckiser Inc.	10/574426	02-May-2006	ANP
<i>CaseType: PCT</i>						
03-Aug-2007	NM CU2 AWAIT FIRST ACTION	01162 027 / 36 Canada	Pending Vao-U-Max Inc.	2514526	03-Aug-2005	BSL CH
<i>CaseType: ORD</i>						
04-Aug-2007	NM CU2 AWAIT FIRST ACTION	01195 080 / 92 United States of America	Published Baumbach	11/418402	04-May-2006	BSL MDM
<i>CaseType: DIV</i>						
05-Aug-2007	NM CU2 AWAIT FIRST ACTION	02132 028 / United States of America	Published Dr. Ing. Peter Riebling	10/548787	05-May-2006	CH
<i>CaseType: PCT</i>						
05-Aug-2007	DDK PUB SCANNED PTO? IMO	02132 029 / United States of America	Published Dr. Ing. Peter Riebling	10/550914	29-Jan-2007	CH
<i>CaseType: PUB SCAN</i>						
05-Aug-2007	DDK PUB SCANNED PTO? IMO	02132 029 / United States of America	Published Dr. Ing. Peter Riebling	10/550914	29-Jan-2007	CH
<i>CaseType: PCT</i>						
05-Aug-2007	DDK PUB SCANNED PTO? IMO	02132 029 / United States of America	Published Dr. Ing. Peter Riebling	10/550914	29-Jan-2007	CH
<i>CaseType: PCT</i>						

Re: US 10/576 770

Report Selection	
<input checked="" type="radio"/> by Due Date <input type="radio"/> by Due Date (Calendar) <input type="radio"/> by Attorney <input type="radio"/> by Attorney (Via Email) <input type="radio"/> by Client	<div>Report Format <input type="radio"/> Concise <input checked="" type="radio"/> Comprehensive</div> <div>Remarks <input checked="" type="radio"/> Print <input type="radio"/> Do Not Print</div>
Preview before printing <input checked="" type="checkbox"/>	
From Date: 01-Aug-2007	To Date: 05-Aug-2007
Client: <input type="text"/>	Attorney: <input type="text"/>
Action Type: <input type="text"/>	
Action Due: <input type="text"/>	
Indicator: <input type="text"/>	
Country: <input type="text"/>	Area: <input type="text"/>
Status Codes: <input type="radio"/> Active <input type="radio"/> Inactive <input checked="" type="radio"/> All	
Status(es):	

25: US 10/576770